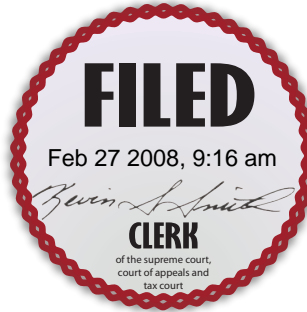


Pursuant to Ind.Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



APELLANT PRO SE:

RICHARD A. STARR
Noblesville, Indiana

**IN THE
COURT OF APPEALS OF INDIANA**

RICHARD ALAN STARR,

Appellant,

vs.

CRYSTAL F. PETERS,

Appellee.

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No. 29A02-0707-CV-548

APPEAL FROM THE HAMILTON SUPERIOR COURT
The Honorable Wayne A. Sturtevant, Judge
Cause No. 29D05-0608-SC-2001

February 27, 2008

MEMORANDUM DECISION – NOT FOR PUBLICATION

MATHIAS, Judge

Richard A. Starr (“Starr”) appeals a negative judgment upon his small claims complaint against Crystal F. Peters (“Peters”). We dismiss.

We raise a single, dispositive issue sua sponte: whether Starr followed the appellate rules.

Starr filed a small claims complaint against Peters requesting \$5200.¹ A hearing was held and judgment rendered for Peters. Starr appeals.

Although a transcript of the small claims hearing has been provided to this court, Starr has failed to follow Ind. Appellate Rule 50(A) which requires that the appellant file an appendix that includes a chronological case summary and the portion of the transcript containing the rationale of the decision among other documents. We recognize that Starr is proceeding pro se but he is still required to follow the applicable appellate rules. See Wright v. State, 772 N.E.2d 449, 463 (Ind. Ct. App. 2002).

Even had Starr complied with the Appellate Rule requirements concerning the record on appeal, his argument and brief in its entirety is as follows: “There has been a constant violation of Constitutional and Civil Rights and laws broken. That’s why I filed a case in small claims courts so that I could bring it to the higher court[‘]s attention. I would [sic] a thorough investigation and action taken upon it[.]” Br. of Appellant p. 2. Appellant’s brief consists entirely of photocopies of various documents and utterly lacks any argument, much less a cogent one, and lacks any citation to authority. See Ind. Appellate Rule 46(A)(8)(a). (“The argument must contain the contentions of the appellant on the issues presented, supported by cogent reasoning. Each contention must

¹ Among other defects, a copy of the small claims complaint was not filed with Starr’s “brief.”

be supported by citations to the authorities, statutes, and the Appendix or parts of the Record on Appeal relied on.”

For both of these reasons, either of which is fatal in its own right, Starr’s appeal is dismissed. See Gentry v. State, 586 N.E.2d 860 (finding that failure to substantially follow the appellate rules, specifically the briefing rules, the court will dismiss the appeal.)

Dismissed.

FRIEDLANDER, J, and ROBB, J., concur.